

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 6, 2008

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

RQR-29128 - REQUIRED REVIEW - PUBLIC HEARING - OWNER: GHASSAN MEHRI - APPLICANT: BILLY MACS AUTO REPAIR, INC - Required 30-Day Review of an approved Special Use Permit (SUP-4195) FOR AN EXISTING AUTO REPAIR GARAGE (MINOR) at 2027 North Decatur Boulevard (APN 138-24-611-062), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for SUP-4195
5. Submitted after Meeting – Recordation Notice of Council Action and Conditions of Approval

Motion made by RICKI Y. BARLOW to Approve subject to conditions and amending Condition 2 as read for the record:

2. This Special Use Permit (SUP-4195) shall be subject to a six-month review at a public hearing of the City Council.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

WILLIAM McALPINE, Billy Macs Auto Repair, Inc., stated he removed the vehicles from the back of the property.

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COUNCILMAN BARLOW indicated he had a conversation with residents, and they are concerned, not about the service the applicant provides, but the aesthetics in which he keeps his property, particularly vehicles he stores on the property. The residents believe the applicant moved some of the vehicles onto another property. Code Enforcement will visit that location. Regarding the property in question, the Councilman stated he does not want to see 20 vehicles stored on the property. He was prepared to move forward to approve the item with a six-month review to ensure that this does not become an eyesore, especially at the corner of Lake Mead Boulevard and Decatur Boulevard.

Regarding the barricades, MR. McALPINE replied that he installs them but drivers run them over, even with steel stakes. He admitted that he moved four cars to his brother's house and will hold them for four months to give the owners an opportunity to reclaim them. After four months, he will bring them to the wrecking yard. COUNCILMAN BARLOW stated he will be sending Code Enforcement to that location to address any violations not complying with City Code. He is trying to cleanup this area and wants every business owner to help. He asked MR. McALPINE to do a better job when he stores vehicles.

MARGO WHEELER, Director of Planning and Development, explained that Condition 4 as written means that the applicant has 30 days to get barricades in place and maintain them. Staff will go out and check and if he does not, the Councilman will get that report before the six-month review.

COUNCILMAN BARLOW asked ASSISTANT CITY ATTORNEY BRYAN SCOTT if he can limit the number of vehicles stored outside under the required review. ASSISTANT CITY ATTORNEY SCOTT replied that normally under a required review, no additional conditions are added. COUNCILMAN REESE questioned why a limit on the amount of vehicles that can be stored on a property cannot be imposed. ASSISTANT CITY ATTORNEY SCOTT explained that that would have to have been a condition imposed on the original special use permit.

COUNCILMAN BARLOW recalled that the site looked very nice and because of the conversation the applicant had with former COUNCILMAN WEEKLY; at that time, there was no reason to believe that this application would become what it is today. COUNCILMAN BARLOW asked the applicant if he would agree not to have more than 10 cars stored on site. MR. McALPINE replied that it would be hard for him to do, as cars are dropped off as late as midnight. COUNCILMAN BARLOW felt this location was too small for this type of business, and he is not willing to see 30 cars on this lot.

MR. McALPINE asked COUNCILMAN BARLOW what he meant by "rough shot". The Councilman replied that the term represents that the applicant does whatever he wants to do without complying with the law. MR. McALPINE rebutted he was not aware there was a law against him parking four cars on his brother's property. He can try to not have more than 15 cars at night, but if some vehicles appear in the middle of the night, he has no control over that. The Councilman stressed that he does not want to see no more than 10 cars stored on the property at night.

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MS. WHEELER clarified the amendment to Condition 2 for a six-month review, leaving Condition 4 as it reads and that the applicant understands he has 30 days to comply with the previously imposed condition with regard to the temporary barriers.

MAYOR GOODMAN declared the Public Hearing closed.

